

Message Text

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DOD/ISA:GENWALLACE

ARA/CAR:JRBURKE

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FM SECSTATE WASHDC

TO AMEMBASSY NASSAU IMMEDIATE

C O N F I D E N T I A L STATE 230534

E.O. 11652: GDS

TAGS: MARR BF US

SUBJECT: FACILITIES TALKS - FINAL CHANGES TO REVISED

DRAFTS

REF: A:STATE 221886; B: NASSAU 1533; C: NASSAU 1722

1. FOLLOWING ARE INTER-DEPARTMENTAL CHANGES OF FOUR REVISED DRAFT AGREEMENTS PASSED TO EMBASSY NOVEMBER 12: COMMON PROVISIONS; PAGE 2, LINE 3, AFTER SECOND "BAHAMAS" ADD "IN CONNECTION WITH ACTIVITIES UNDER THIS AGREEMENT"; FACILITIES PROVISIONS; PAGE 3, LINE 2, AFTER FIRST "THE" ADD "SEABEDS,"; PAGE 5, PARA 2, LINE 1, AFTER "COMMERCIAL" ADD "AND OTHER CIVIL"; PAGE 5, PARA 3, LINE 6, AFTER "GOVERNMENT" ADD "AND UNITED STATES CONTRACTORS"; PAGE 8, AFTER END PARA 3, ADD "4. A MAIL FACILITY OPERATED BY A UNITED STATES CONTRACTOR UNDER THE DIRECTION OF UNITED STATES FORCES SHALL BE CONSIDERED A UNITED STATES MILITARY POST OFFICE FOR THE PURPOSE OF THIS AGREEMENT."; PAGE
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12, SUB-HEADING (A), LINE 3, DELETE "AS WELL AS THEIR

ASSOCIATED", AND ADD AFTER "OBJECTS," "FOR THE OPERATION OR TESTING OF OTHER MILITARY OR SCIENTIFIC"; STATUS OF FORCES PROVISIONS; PAGE 10, PARA 5, SUB-HEADING (B), LINE 2, AFTER "ARREST" ADD "OR DETENTION"; PAGE 16, LINE 2, DELETE "FOR THE PURPOSE OF" AND AFTER "REQUIRED" ADD "IN CONNECTION WITH THE ACTIVITIES UNDER"; OPERATING RIGHTS AGREEMENT; PAGE 1, SUB-PARA 2, LINE 1, AFTER "WHEN" ADD "THE UNITED STATES IS", DELETE "WAR" AND REPLACE

BY "HOSTILITIES", LINE 2, DELETE "THE UNITED STATES" AND REPLACE BY "IT"; DELETE LAST PAGE "FALLBACK PARAGRAPH (2)".

2. DETAILED MAPS OF SITES TO BE RETAINED WILL BE FORWARDED SOONEST TO BE INCLUDED AS ANNEX TO DRAFTS. SUGGEST EMBASSY FORWARD DRAFTS TO GCOB AND ADVISE THEM MAPS WILL FOLLOW SHORTLY.

3. RE OPERATING RIGHTS: IN SUBMITTING THE REVISED DRAFT OPERATING RIGHTS AGREEMENT, STATE AND DOD HAVE THOROUGHLY CONSIDERED THE AMBASSADOR'S VIEWPOINT AS STATED IN PARA 9 OF REF B. WE BELIEVE THAT THE RIGHTS WE SEEK IN THE REVISED DRAFT ARE CONSISTENT WITH PAST PRACTICES AND WITH DRAFTS PREVIOUSLY TABLED. WE APPRECIATE THE POSSIBLE FUTURE RISKS IN APPEARING TO CAPITALIZE ON GCOB LACK OF SOPHISTICATION AND EXPERIENCE, AND WILL GIVE FURTHER STUDY TO THIS ISSUE. IN ANY EVENT, THE GCOB MAY OBJECT TO SOME OF THESE PROVISIONS, AND WE WILL BE LOOKING INTO FALLBACK POSITIONS. HOWEVER, WE BELIEVE THAT AS THE INITIATIVE IN THE NEGOTIATIONS RESTS WITH US NOW, WE SHOULD IMMEDIATELY SUBMIT TO THE GCOB THE REVISED DRAFT OPERATING RIGHTS AGREEMENT AS SUBMITTED TO THE EMBASSY, LEAVING POSSIBLE CHANGES FOR FURTHER DELIBERATION WITHIN THE USG WHILE THE TALKS PROGRESS. WE ASSUME FROM REF C THAT THIS COURSE IS ACCEPTABLE TO THE EMBASSY. KISSINGER

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